

# Board of Respiratory Care Examiners Board Meeting Minutes

## Regularly Scheduled Meeting of March 15, 2012

Thursday, March 15, 2012, 9:00 a.m.  
Basement Conference Room B-1  
1400 W. Washington, Phoenix, AZ 85007

**Board Members Present:**

Board Chair Jeanette Kieffer

Vice Chair John O'Donnell

Tracy Cagan

Chuck Ramirez

David Sanderson

Becky Brimhall

Joe Gonzales

**Board Members Absent:****Staff Present:**

Jack Confer

David Geriminsky

Valarie Wallace

**Legal Counsel:**

Nancy Beck

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Authored by: David Geriminsky

Recommended by: Jack Confer

Approved by the Board on April 19, 2012

# Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of March 15, 2012

## CALL TO ORDER

The Meeting was called to order at 9:00 a.m. by Board Chair Jeanette Kieffer.

## CONSENT AGENDA

### CONSENT AGENDA:

All items listed with “C” are considered to be routine or have been previously reviewed by the Board of Respiratory Care Examiners, and will be enacted by one motion. There will be no separate discussion of these items unless a Board member so requests; in which event the item will be removed from the Consent Agenda, and placed in the Regular Agenda under Item R-2.

### MOTION ON THE CONSENT:

There being no items requested to be removed, a motion was made by **David Sanderson** to approve all items on the Consent Agenda. **John O'Donnell** seconded. **The Motion Passed**

#### C-1 APPROVAL OF MINUTES

Recommended for Approval

February 16, 2012

#### C-2 ACTION ON APPLICATIONS FOR LICENSURE

##### i. Permanent License Issuance

Recommended for approval by the Executive Director

Lawrence Baker	Scott Barthol	Tahra Bilton	Sharryl Bowles
Jennifer Burk	Mariel Castillo-Perrin	Jason Cook	Zosimo Dilay
Dana Daw	Lonnie Earl	Cheryl Eisner	Susan Eissfeldt
Rusti Fetterman	Erik Holman	Douglas Kato	Craig Lamphere
Kathryn Mashaw	Jonathan Marino	Matthew Mentzer	Melanie Prairie
Jori Rex	Christopher Rubalcaba	Jaiah Townsend	Jennifer Wright
William Tresek	Michele Wolf		

##### ii. Re-Application for Permanent Licensure

Recommended for approval by the Executive Director

Sarah Bode	David Castro	Cristina Domingues	Leah Harris
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**iii. Ratification of Temporary Licenses Issued Pursuant to A.R.S. § 32-3521**

**Recommended for Ratification by the Executive Director**

Melissa Abrahamson	Maria Aguilar	Jennifer Boksa	Leticia Encinas
Deborah Hale	Kimberly Hikida	Mark Keppler	Jennifer LeBelle
Lydia Landavaso	Jennifer Loos	Kayla Luce	Enok Madrigal
Leticia Napoles	Hoang Nguyen	Katie Nguyen	Tyler Pemberton
Ivonne Perez	Chrystal Perkins	Joshua Quigley	Michelle Siemion
Harlan Taney	Jocelyn Thilges	Nancy Ward	Jeff Wurgler

**iv. Ratification of Temporary License Extension Issued pursuant to A.R.S. § 32-3521**

**Recommended for Ratification by the Executive Director**

None

**C- 3 ACTION ON ADMINISTRATIVE CLOSING OF APPLICATION FILES**

**Recommended for closing of application files**

Hieu Ngo	Katherine Olson	Sylvia Ruiz
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**C- 4 ACTION ON ADMINISTRATIVE CLOSURE OF TWO-YEAR INACTIVE FILES**

**Recommended for closing of inactive files**

Samuel Agrigoroae	Leo Ballge	Christine Beatty Adams	Sarah Briner
Leslie Brooks	Alex Castro	Angela Colvin	Tracey Herrera
Anna Marie Heywood	Sally Hicks	Dennis Hurd	Richard Lavendoski
Ylonda Thompson	Sharon Warren		

**C- 5 ACTION ON NOTICES OF LICENSE EXPIRATIONS**

**Recommend sending notice of License Expirations to the following individuals:**

Jeffrey Bills	Linda Bulter	Carson Collingsworth	Herbert Cooper
Sheri Daniel	Christina Diaz	Thomas Edmonds	Rhonda Erskine
Ernest Esteban	Christopher Flores	Jennifer Guelle	Joel Hansen
Rosemary Hansen	Kimberly Hartley	Teresita Harweger	Valarie Haynes
Jo Ellen Hulce	Amelia Ivey	Frances Jones	Marcia Joslyn-Harris
Heather Kane	Deborah Karl	Casie Kelley	Shirley Leistikow
Britni Little	Christopher Lyons	Curtis Malaise	Margaret Mulford
Cindy Munoz	Vivian Negreros	Melissa Page	Sheila Patterson
Milton Pelletier	Danielle Petty	Christen Ramsey	Mary Jane Silver
Patricia Simmons	Michael Sphar	William Stever	Richard Tameron
Jennifer Taylor	Nathan Vierra	Brianson Yazzie	

**C -6 ACTION ON RATIFICATION OF RENEWAL OF LAPSED LICENSES**

Recommended to ratify licenses issued by the Executive Director to individuals who met requirements for renewal

Paul Achey  
Kathy Soza

Winford O’Gorman  
Jandi Spann

Bernand Saur John Snyder

**C-7 ACTION ON RATIFICATION OF CONSENT AGREEMENTS AND LETTERS OF WARNING ISSUED**

Items listed here will be proposed documents for the Board’s consideration. The Board may choose not to ratify these documents, remove them from the Consent Agenda, and place them in the Regular Agenda under Item R-2.

Stipulation and Consent Orders, and Letters of Warnings Issued, once ratified by the Board shall constitute public records which may be disseminated as formal actions of the Board.

**A. Decision on Accepting Proposed Consent Agreements**

None

**B. Decision on Accepting Proposed Letters of Warning Issued**

None

**C -8 ESTABLISH DATE AND TIME OF NEXT BOARD MEETING**

Scheduled date of next Board Meeting

Thursday, April 19, 2012, at 9:00 a.m.

## **REGULAR AGENDA**

### **R-1 DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT**

- i. **Board Office Highlights**
- ii. **Board Staff Highlights**

The Executive Director provided a General overview of events in the office. Board members requested additional statistical information.

### **R-2 DISCUSSION/ACTION ON ITEMS REMOVED FROM THE CONSENT AGENDA**

### **R-3 DISCUSSION/ACTION ON APPLICATIONS FOR LICENSURE, RENEWAL & RE-APPLICATIONS**

#### **Application for Licensure/Interview**

- 1. **Tatia DePass** **Case Number C002863-12-010147**

Ms. DePass was present. An overview of her application packet was provided. **David Sanderson** moved to Grant Ms. DePass a license. After Discussion, **John O'Donnell** seconded the motion. **The Motion Passed**, with **Tracy Cagan and Chuck Ramirez** voting **Nay**.

#### **Application for Re-Licensure/Interview**

- 1. **Tanashia Fischer** **Case Number C002890-12-010264**

Ms. Fischer was present. An overview of her application packet was provided. **David Sanderson** moved to Grant Ms. Fischer a license on the condition that she enters into a stipulated order of Rehabilitative Probation requiring her to attend random drug screens and provide the Board with monthly updates from her counselor along with other standard terms of probation. After Discussion, **Becky Brimahll** seconded the motion. **The Motion Passed**.

### **R-4 CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT**

- 1. **Steven Walker** **Case Number C002882-12-006600**

Mr. Walker was present. An overview of the allegations against Mr. Walker was presented. After review, **Chuck Ramirez** moved to dismiss the allegations. **Becky Brimahll** seconded. **The Motion Passed**.

**2. Gilberto Villalobos****Case Number C002794-12-008128**

Mr. Villalobos was present. An overview of the allegations against Mr. Villalobos was presented. After discussion, **Becky Brimhall** moved to take this matter to an informal interview. **Tracy Cagan** seconded. **The Motion Passed.**

**3. Emily Ramthun****Case Number C002915-12-001612**

Ms. Ramthun was present. An overview of the allegations against Ms. Ramthun was presented. After review, **Chuck Ramirez** moved to dismiss the allegation. **David Sanderson** seconded. **The Motion Passed.**

**4. Yadira Cibrian****Case Number C002917-12-006202**

Ms. Cibrian was not present. An overview of the allegations against Ms. Cibrian was presented. After discussion, **Becky Brimhall** moved to take this matter to an informal interview. **Tracy Cagan** seconded. **The Motion Passed.**

**5. John Durbano****Case Number C002914-12-000523**

Mr. Durbano was not present. An overview of the allegations against Mr. Durbano was presented. After discussion, **Joe Gonzales** moved to take this matter to an informal interview. **John O'Donnell** seconded. **The Motion Passed.**

**R-5 CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS PURSUANT TO A.R.S. § 32-3553(G)**

None

**R-6 CONSIDERATION AND ACTION ON FORMAL COMPLAINT HEARING PURSUANT TO A.R.S. § 32-3553(H)****1. Kevin Burke****Case Number C002768-11-008444**

Mr. Burke was not present. Assistant Attorney General Nancy Beck presented the case on behalf of the state. The Board's Investigator David Geriminsky was sworn in and provided testimony in regards to the Complaint. The Board found after reviewing the case and hearing testimony that a preponderance of evidence had been found to substantiate the complaint.

**Joe Gonzales** moved Findings of Facts as set forth in the complaint. **Tracy Cagan** seconded. **The Motion Passed.**

**Tracy Cagan** moved Conclusions of Law as set forth in the complaint. **Board Chair Jeanette Kieffer** seconded. **The Motion Passed.**

After further discussion and consideration of the gravity of the charges, **John O'Donnell** moved to **revoke the license of Kevin Burke** to practice Respiratory Care in the State of Arizona. **Joe Gonzales** seconded. **The Motion passed through roll call vote.**

## **R-7 CONSIDERATION AND ACTION ON PREVIOUS BOARD ACTION**

### **Informal Interview Regarding Probation Compliance**

#### **1. James Bradshaw Case Number C002643-11-009530**

Mr. Bradshaw was present. An overview of the Licensee's probation file was presented. After discussion, **David Sanderson** moved to terminate the probation. **Joe Gonzales** seconded. **The Motion Passed.**

#### **2. John Davis Case Number C002541-10-009000**

Mr. Davis was present. An overview of the Licensee's probation file was presented. After discussion, **Tracy Cagan** moved to terminate the probation. **David Sanderson** seconded. **The Motion Passed.**

#### **3. Scott Reed Case Number C002671-11-009555**

Mr. Reed was present telephonically. An overview of the Licensee's probation file was presented. After discussion, **Tracy Cagan** moved to terminate the probation. **David Sanderson** seconded. **The Motion Passed.**

#### **4. Dustin Wagner Case Number C002715-11-009160**

Mr. Wagner was present. An overview of the Licensee's probation file was presented. After discussion, **Chuck Ramirez** moved to terminate the probation as of March 30, 2012. **Board Chair Jeanette Kieffer** seconded. **The Motion Passed.**

## **R-8 DISCUSSION/ACTION SCOPE OF PRACTICE/COMMUNITY STANDARD ISSUES**

The Board may go into executive session on any of the items under R-8 for legal advice

1. RCP's as Physician Extenders
2. Safe Workloads

For both R-8 (1) & (2) the Board states that it does not give an advisory opinion. Please refer to the laws and rules which govern the respiratory Scope of Practice. Beginning with A.R.S. § 32-3501(5)

## **R-9 CALL TO THE PUBLIC**

There was no public presentation to the Board.

## **R-10 ADJOURNMENT**

Board Chair Jeanette Kieffer adjourned the meeting at 12:00 p.m., without objection.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2012

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Jack Confer  
Executive Director